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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,834	09/09/2003	Matthew S. Colip	03-4-207	1762

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EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT PAPER NUMBER

2875

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/657,834

Applicant(s)

COLIP ET AL.

Examiner

Hargobind S Sawhney

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Pederson (US Patent No.: 6,367,949 B1).

Regarding claims 1-4 and 6-8, Pederson ('949 B1) discloses a lamp assembly 10 (Figure (Figures 1 and 2) comprising:

- a carrier 18 including a front side, a back side with a plurality of through passages 82 (Figures 1 and 2, column 17, lines 28-30);
- an circuit board 14 including a first surface – the surface facing the lens cover 20 – and a second surface opposite to the first surface (Figures 1 and 2, column 11, lines 26 and 27);
- a plurality of light sources 16 mounted on the first surface of the circuit board 14 (Figures 1 and 2, column 11, lines 27 and 28);
- the first surface of the circuit board 14 aligned with the backside of the carrier 18 (Figures 1 and 2);

- the plurality of the light sources 16 aligned with the plurality of through passages defined in the carrier 18 in one-to-one relation (Figures 1 and 2);
- a heat sink 34,36 – a combination of a heat sink body 34 integral with a frame 36 (Figures 1 and 2, column 11, lines 57-60) and column 12, lines 59-64) – thermally in contact with the plurality of light sources 16 (Figures 1 and 2, column 12, lines 59-64);
- the heat sink 34,36 mounted to the second surface of the circuit board 14 (Figures 1 and 2);
- the heat sink 34,36 mounted to the carrier 18 – the fastening elements 48 attaching the carrier 18, circuit board 14 and the frame 36– (Figures 1 and 2);
- the carrier 18 and the circuit board each being annular (Figures 1 and 2, column 13, lines 6-8);
- the light sources 16 being light emitting diodes (LEDs) (Figures 1 and 2, column 11, lines 27 and 28); and
- a light transmitting optical assembly 20 operatively positioned with respect to the light source 16 (Figures 1 and 2, column 11, lines 30-32).

Allowable Subject Matter

3. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record, including Pederson (US Patent No.: 6,367,949 B1), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a lamp assembly combining:

- a carrier and a circuit board including mating step portions extending in separate planes as recited in Claim 5.

The above-indicated combination, including a carrier and a circuit board including mating step portions extending in separate planes, is a unique feature applied to a lamp assembly. Therefore, Claim 5 is objected.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Galli (U.S. Patent No. 6,827,468 B2), Stopa et al. (U.S. Patent No. 6,641,284 B2) and Ronney et al. (U.S. Patent No. 5,632,551)


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
2/2/05



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800